



CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

NEWS RELEASE

Department of Toxic Substances Control

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FOR IMMEDIATE RELEASE

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Lawrence Berkeley Permit Modification Approved

BERKELEY -- The California Environmental Protection Agency's Department of Toxic Substances Control (DTSC) today announced a final decision on a proposed Class 2 permit modification, requested by Lawrence Berkeley National Laboratory (LBNL) in 1996. Among other changes, this modification would increase the storage of "mixed waste" at LBNL's new hazardous waste handling facility (HWHF).

The construction and operation of a new, state of the art, HWHF, was approved in LBNL's Resource and Recovery Act (RCRA) permit issued in May 1993. Since 1996, LBNL has completed construction and started the operation of the new HWHF. The former HWHF transferred its contents to the new facility and was closed in accordance with DTSC regulations.

Under the permit modification, LBNL will increase the permitted storage capacity from 23,320 gallons to 23,365 gallons, or an increase of 45 gallons. The modification also authorizes the storage of three additional types of wastes; oxidizers with radionuclides, water and air reactive chemicals with radionuclides, elemental mercury and devices containing elemental mercury. Radionuclides are elements that exhibit radioactivity. It also authorizes additional treatment methods for hazardous and mixed wastes, including filtration, phase separation and precipitation.

As a public agency, the University of California Regents, acting as the lead agency for CEQA compliance for this project prepared a Negative Declaration. LBNL was subsequently sued in June 1997 over the CEQA document and ultimately prevailed in court. Due to the delays in completing the CEQA document, DTSC entered into an order with LBNL which allowed them to continue operating at the higher mixed waste storage limits among other provisions, until a final decision was made by DTSC on the proposed modifications.

In March 1999, the Committee to Minimize Toxic Waste, requested that DTSC delay a final decision on the permit modification pending completion of an ongoing investigation of a July 24, 1998 tritium release during a treatability study at LBNL's National Tritium Labeling Facility. The treatment method conducted during this study is not one of the additional treatment methods being proposed as part of this Class 2 Permit Modification.

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The activities under the treatability study, were conducted under an exclusion provision of DTSC's regulations. The Committee is concerned about an incident involving the release of tritium which is regulated by the United States Department of Energy. Upon completion of its investigation, DTSC will determine if there are any violations to our regulations, and take appropriate action if necessary.

DTSC is one of six boards and Departments within the California Environmental Protection Agency. DTSC's mission is to protect and enhance public health and the environment by regulating the management of hazardous waste and promoting reduction.

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